

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MAUREEN MORAVEC,

Plaintiff,

v.

Case No.: 2:18-cv-596-FtM-38NPM

METROPOLITAN TILE & MARBLE,
INC.,

Defendant.

ORDER¹

Before the Court is United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation ("R&R"). ([Doc. 44](#)). Judge Mizell recommends granting the parties' Joint Motion for Approval of Settlement ([Doc. 43](#)) and approving their FLSA Settlement Agreement ([Doc. 43-1](#)) "as a fair and reasonable resolution of a bona fide dispute of the parties' FLSA issues." ([Doc. 44 at 6](#) (internal quotation marks omitted)). The parties filed a Joint Notice of Non-Objection, stating they do not object and asking the Court to approve the R&R. ([Doc. 45](#)). So the matter is ripe.

A district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); see also [Williams v. Wainwright](#), 681 F.2d 732, 732 (11th Cir. 1982). Without a specific objection, the judge need not review factual findings de novo. 28 U.S.C. § 636(b)(1); see also [Garvey v. Vaughn](#), 993 F.2d 776, 779 n.9 (11th Cir. 1993). But the district court reviews

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legal conclusions de novo, even without an objection. *Cooper-Houston v. S. Ry.*, 37 F.3d 603, 604 (11th Cir. 1994).


After a careful, complete, and independent examination of the file, the Court accepts and adopts Judge Mizell's R&R in full.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation ([Doc. 44](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
 - a. The parties' Joint Motion for Approval of Settlement and Dismissal of the Case with Prejudice ([Doc. 43](#)) is **GRANTED**.
 - b. The FLSA Settlement Agreement ([Doc. 43-1](#)) is **APPROVED** as a "fair and reasonable resolution of a bona fide dispute" of the parties' FLSA issues.
 - c. The parties request for the Court to retain jurisdiction over enforcement of the Settlement Agreement is **DENIED**.
2. This case is **DISMISSED with prejudice**.
3. The Clerk is **DIRECTED** to enter judgment, terminate any pending motions or deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida this 6th day of March, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record